

DECLARATORY
~~Improvement~~ Res. No. 1251-1969

For the Vacation of Railroad Street
from the east property line of
Calhoun Street to the west property
line of Clinton Street.

Resolution Adopted: Sept. 8, 1969

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

June 24, 1971

B.U. 124-68

DECLARATORY RESOLUTION NO.1251-1969

For the Vacation of Railroad Street from the east
property line of Calhoun Street to the west
property line of Clinton Street.

PLANS ORDERED:

ADOPTED: Sept. 8, 1969

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVERS SIGNED

HEARING ON CONFIRMATION:

CONFIRMED: Sept. 8, 1969

ASSESSMENT ROLL ORDERED: Sept. 8, 1969

ASSESSMENT ROLL APPROVED: June 7, 1971

HEARING ON CONFIRMATION OF ASSESSMENT ROLL: Thurs., June 24, 1971 at 3:30 pm.

NOTICE SERVED: June 11, 1971

ASSESSMENT ROLL CONFIRMED: June 24, 1971

For the Vacation — Opening — Condemnation of right of way for utility purposes of Railroad Street from the east property line of Calhoun Street to the west property line of Clinton Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Railroad Street from the east property line of Calhoun Street to the west property line of Clinton Street.

All as shown by a plan of such proposed Vacation — Opening — Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation — Opening — Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation — Opening — Condemnation of right of way for utility purposes is described as follows: Lots No. 55 to 61 inclusive, all in Hamilton's 2nd Addition and a vacated alley. Also, space lying south of Railroad Street and north of Norfolk & Western Railroad. Said addition and space are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

A portion

The vacation of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the northeast quarter of Section Eleven, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.



ADOPTED THIS

8

DAY OF

Sept

1969

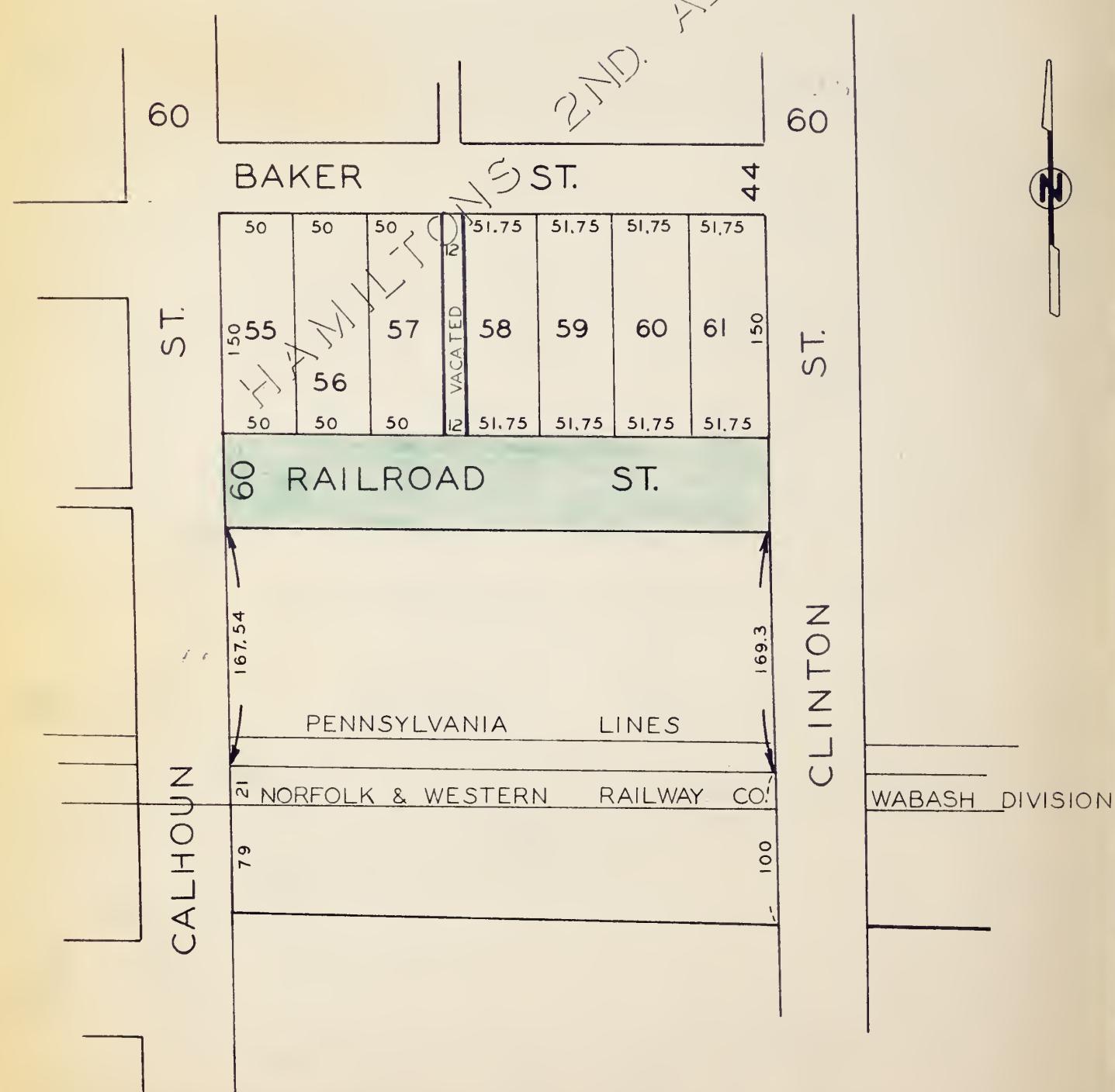
Attest:

Secretary Board of Public Works.

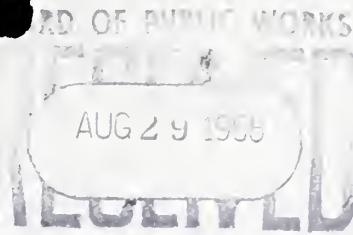
JUN 2 1971

Drew R. Russell
Robert W. Delmar
Board of Public Works.

STREET TO BE VACATED



1251



PETITION

Fort Wayne, Indiana
August 29, 1968

NOTED

F.S.E.

F.W.D.

Q.F.G.

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

DAM

The undersigned, owners of real estate on the south side and on the north side of Railroad Street, from Calhoun Street to Clinton Street, respectfully petition for the passage of a resolution providing for the vacation of all of Railroad Street lying between Calhoun Street on the west and Clinton Street on the east, as shown in the office of the Recorder of Allen County.

All adjacent landowners sign as follows:

C. A. GRIEGER, INC.

By

DAHM REALTY COMPANY, INC.

By

Raymond M. Young
RAYMOND M. YOUNG

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

52-187-11

7

B.O. 124-168

Date Sept. 3, 1968

To City Engineer

Subject Vacation - Railroad Street

Received a petition to Vacate Railroad Street lying between Calhoun Street on the west and Clinton Street on the east.

Prepare an opinion, after conferring with all Governmental Agencies and Utilities.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
attach copy of Petition

NOTED
 F.S.E.
 R.W.D.
 G.F.G.

Date _____

Signed _____

Reply:

September 4, 1969

1251

Declaratory Resolution, drawing and property ownership list completed and attached.

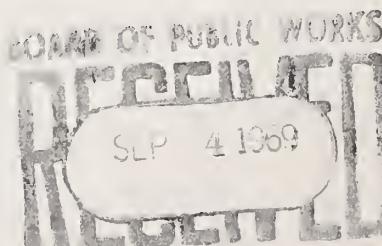
Indiana Michigan Electric Co. and General Telephone Co. require easements but the grants have already been signed and recorded.

Also, a public hearing will not be necessary because all affected property owners have signed waivers which are attached.

Donald E. Bodeker

Donald E. Bodeker
Office Manager

DEB:lc
attachs.



Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

OFFICE OF
BOARD OF PUBLIC WORKS



B.O.124-68

FORT WAYNE 2, INDIANA

NOTED *[initials]*

F.S.E.

54-38-7

R.W.D.

Date Sept. 8, 1969

EVE

To City Engineer

Date _____

Subject Dec. 1251-1969 Railroad Street

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
enc1. Reso. & P. O. List

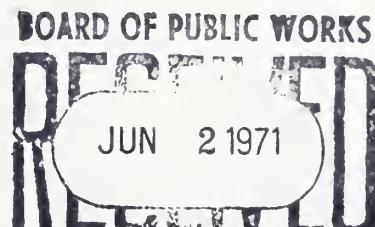
Signed _____

Reply:

June 1, 1971

Assessment roll of benefits and damages is completed and attached.

Easement grants requested by Indiana-Michigan Electric Co. and General Telephone Co. have been signed and recorded. Copies will be forwarded at a later date.



Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attachs.

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

B.O.124-68

54-38-7

Sept. 8, 1969

City Engineer

Dec. 1251-1969 Railroad Street

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman

Robert W. Dahman

George F. Gable

BOARD OF PUBLIC WORKS

ic

encl. Reso. & P. O. List

SPEED LETTER®

TO Don Bodeker

FROM Thomas A. Manny

Director of Traffic Engineering

SUBJECT Vacation of Railroad St.

—FOLD

MESSAGE

DATE Sept. 12, 19 **68**

Please be advised that the writer has reviewed the proposed improvements to "Mike's Minute Man Car Wash" with the owners and concur with the vacation. The physical improvements to the property will resolve many of the existing traffic problems being generated by the operation.

TAM/jn

—FOLD

SIGNED *Thomas A. Manny*

REPLY

DATE 19

—FOLD

1251

SIGNED

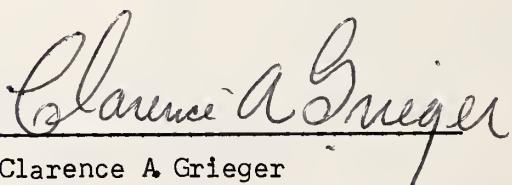
W A I V E R

The undersigned owner of property which may be injuriously or beneficially affected by the proposed vacation of a street described as follows, to wit:

Railroad Street from the east property line of
Calhoun Street to the west property line of
Clinton Street,

which proposed vacation is set out in Declaratory Resolution No. 1251-1969 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights he may have to receive notice of such resolution either by publication or otherwise, and does waive his right to a hearing on said resolution and his right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon him.

Dated this 19th day of ^{August} July, 1969


Clarence A. Griege

Clarence A. Griege

W A I V E R

The undersigned owner of property which may be injuriously or beneficially affected by the proposed vacation of a street described as follows, to wit:

Railroad Street from the east property line of Calhoun Street to the west property line of Clinton Street,

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Dated this 19th day of August, 1969

Raymond M. Young
Raymond M. Young

W A I V E R

The undersigned owners of property which may be injuriously or beneficially affected by the proposed vacation of a street described as follows, to wit:

Railroad Street from the east property line of
Calhoun Street to the west property line of
Clinton Street,

which proposed vacation is set out in Declaratory Resolution No. 1251 -1969 of the Board of Public Works of the City of Fort Wayne, Indiana, do hereby waive any and all rights we may have to receive notice of such resolution either by publication or otherwise, and do waive our right to a hearing on said resolution and our right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and we do agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon us.

Dated this 1961 day of August, 1969

Richard Wayne Grieger
Richard Wayne Grieger

Esther M. Grieger X
Esther M. Grieger

ENGINEERING
DEPT. OF STREETS

NOTED

- F.S.E.
 R.W.D
 G.F.G.

DATE October 11, 1968

TO: Board of Public Works

Date *Oct 11*

SUBJECT: B. O. #124 - 1968

File with petition Oct 11

We are presently processing material for the vacation of Railroad Street from Calhoun Street to Clinton Street. All of the City Departments and Utility Companies have indicated their approval of this vacation.

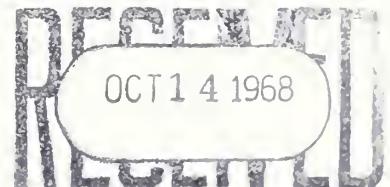
In order that Mike's Minit Man Car Wash could take advantage of the weather, we gave them verbal permission to close Railroad Street for construction purposes. If you feel it is necessary, a permit should be issued authorizing them to barricade the west 125 feet of this street until the vacation becomes effective.

Donald E. Bodeker

Donald E. Bodeker
Office Manager

DEB:lc

BOARD OF PUBLIC WORKS



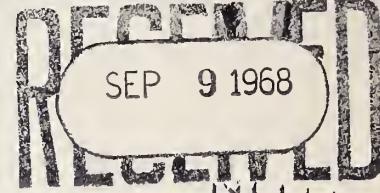
City of Fort Wayne



ENGINEERING DEPARTMENT

425 SOUTH CALHOUN STREET

BOARD OF PUBLIC WORKS



September 6, 1968

Northern Indiana Public Service Company
Indiana & Michigan Electric Company
General Telephone Company

We have received a petition to vacate the following:

Railroad Street from the east property line of Calhoun Street to the west property line of Clinton Street

NOTE: Mike's Minit Man Car Wash intends to construct a building over Railroad Street. We therefore prefer not retaining easements, if possible.

Please check your easement requirements on the enclosed post card and return to us as soon as possible.

Very truly yours,

Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attachs.

cc: Board of Public Works ✓
(Board Order #124-1968)

STREET TO BE VACATED

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CALHOUN

50	50	50	50	51.75	51.75	51.75	51.75
50	55	57	VACATED	58	59	60	61
50	56	50	VACATED	51.75	51.75	51.75	51.75
50	50	50	50	51.75	51.75	51.75	51.75

60 RAILROAD ST.

PENNSYLVANIA LINES

21 NORFOLK & WESTERN RAILWAY CO.

79

60

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CLINTON

WABASH DIVISION



September 6, 1968

William J. Jones
Planning Director

Thomas Manny
Traffic Engineer

Please submit your opinion and recommendation on the following proposed vacation:

Railroad Street from the east property line of Calhoun Street to the west property line of Clinton Street

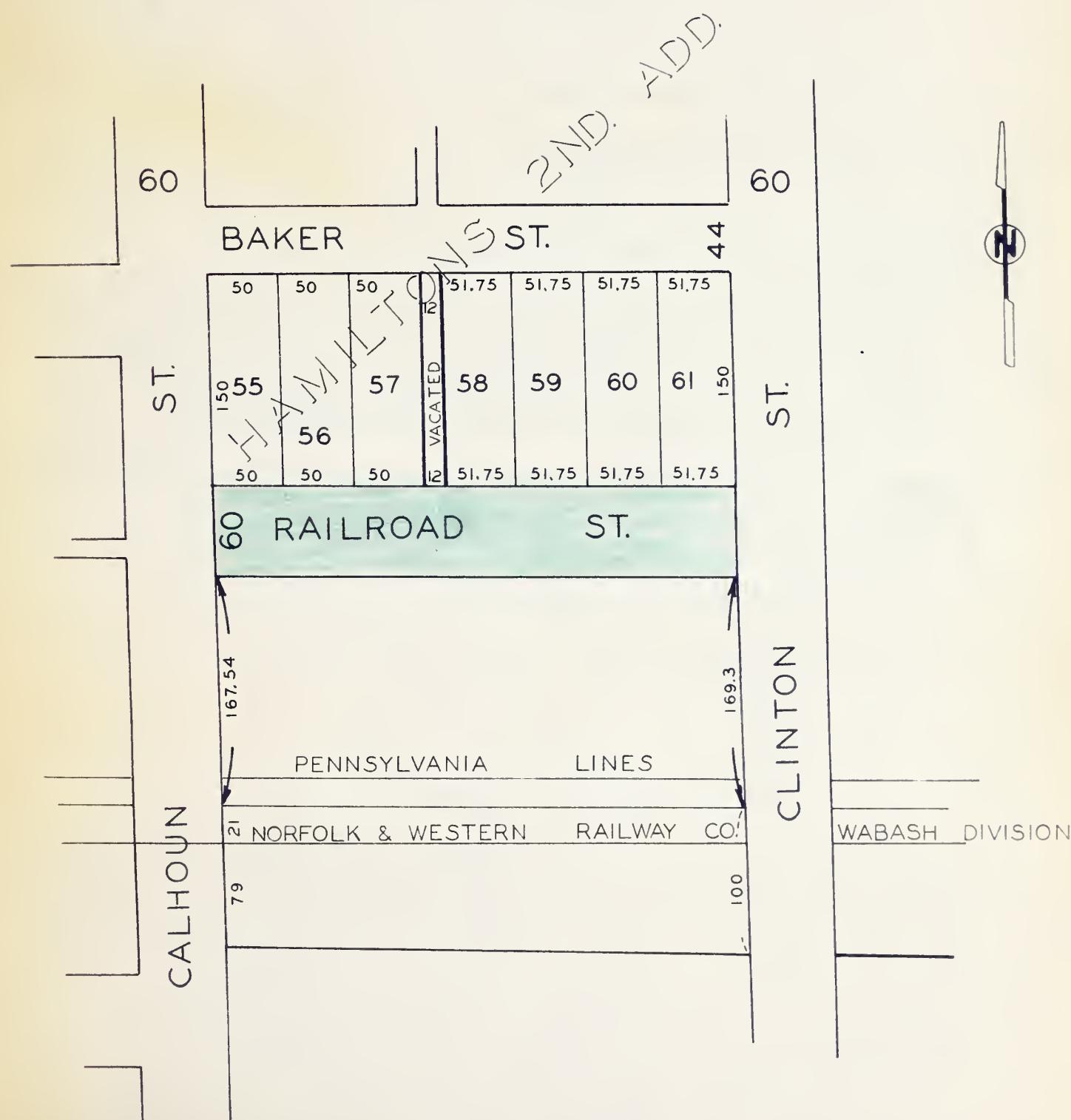
NOTE: Mike's Minit Man Car Wash intends to construct a building over Railroad Street.

Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attach.

cc: Board of Public Works ✓
(Board Order #124-1968)

STREET TO BE VACATED



Improvement Resolution No. 1251-69 For the Vacation of Railroad Street from the East Property Line

of Calhoun Street to the West Property Line of Clinton Street.

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O.L.	
1	YOUNG, RAYMOND M. & GOLDIE O.	2827 WESTBROOK DR.	55			HAMILTON 2ND. ADD.
2	" " "	" " "	56			" " "
3	" " "	" " "	57-W $\frac{1}{2}$			
4	GRIEGER, RICHARD WAYNE & ESTHER M.	1500 S Clinton	57-L $\frac{1}{2}$ & $\frac{1}{2}$ Vac. Alley			
5	" " "	" " "	58-4 $\frac{1}{2}$ Vac. Alley			
6	" " "	" " "	59			
7	" " "	" " "	60			
8	" " "	" " "	61			
9	GRIEGER, CLARENCE A.	2019 KENSINGTON BLVD				SPACE - SO. OF RAILROAD STREET S. NO. OF NORFOLK & WESTERN R.R. SER. N.E. 1/4 - 11-30-12
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